

REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is requested. Claims 28 and 35-50 are in this application. Claims 28 and 35-37 have been amended. Claims 1-27, 29-34, and 51 have been cancelled. Claims 38-50 have been allowed.

The Examiner rejected claims 23, 25, 28, 35-37, and 51 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner argued that the claim term "test" has been improperly used.

Applicant respectfully disagrees because the "test structure" can be used to test the response of a circuit as part of a process to determine the optimum value of an element, such as resistance, thereby allowing on-the-fly performance tweaking experimentation. However, in the interest of furthering prosecution, claims 28 and 35-37 have been amended to replace the phrase "test structure" (and the inadvertently recited phrase "test device") with the phrase "external structure." As a result, claims 28 and 35-37 are believed to satisfy the requirements of the second paragraph of section 112. As noted above, claims 23, 25, and 51 have been cancelled.

The Examiner rejected claims 23 and 51 under 35 USC §102(b) as being anticipated by Worley et al. (U.S. Patent No. 6,147,857). The Examiner also rejected claims 23, 25, and 51 under 35 USC §102(b) as being anticipated by Leung et al. (U.S. Patent No. 5,789,303). The Examiner further rejected claims 23, 25, and 51 under 35 USC §102(e) as being anticipated by List et al. (U.S. Patent Publication No. 2003/0001284). As noted above, claims 23, 25, and 51 have been cancelled.

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Thus, for the foregoing reasons, it is submitted that the application is in a condition for allowance. Therefore, the Examiner's early re-examination and reconsideration are respectively requested.

Respectfully submitted,

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